

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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BENJAMIN CAREATHERS, : 1:13-CV-0369 (KPF)
individually, and on behalf of all others :
similarly situated, : ECF Case
:
Plaintiff, : Electronically Filed
:
- against - :
:
RED BULL NORTH AMERICA, INC., :
a California corporation, :
:
Defendant. :
----- :
DAVID WOLF and MIGUEL ALMARAZ, : 1:13-cv-08008 (KPF)
individually and on behalf of others :
similarly situated, :
:
Plaintiffs, : **DECLARATION OF LAURENCE D.**
v. : **KING IN SUPPORT OF PLAINTIFFS'**
:
MOTION FOR AN APPEAL BOND
:
RED BULL GMBH, a foreign company; :
RED BULL NORTH AMERICA, INC., a :
California corporation; and RED BULL :
DISTRIBUTION COMPANY, INC., a :
Delaware corporation, :
:
Defendants. :
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Attorneys for Plaintiff Benjamin Careathers

I, Laurence D. King, do declare:

1. I am a partner with Kaplan Fox & Kilsheimer LLP, one of the Court-appointed Plaintiffs' Lead Counsel in this litigation. I respectfully submit this declaration in support of Plaintiffs' Motion For An Appeal Bond. I have personal knowledge of the matters referred to herein.
2. Attached hereto as Exhibit A is a true and correct copy of the Order Denying Objections to the Settlement and Fees, and Motion to Intervene, and for Pro Hac Vice Admission entered in *Brown v. Wal-Mart Stores, Inc.*, No. 01 L 85, (Ill. Cir. Ct. Oct. 29, 2009).
3. Attached hereto as Exhibit B is a true and correct copy of the Notice of Appeal filed on November 18, 2014, by objector Dave Mager in *Mirakay v. Dakota Growers Pasta Co., Inc.* ("Mirakay"), No. 1:13-cv-4429 (D.N.J.) (ECF No. 86).
4. Attached hereto as Exhibit C is a true and correct copy of the Motion to Voluntarily Dismiss Appeal filed on December 12, 2014, by objector Dave Mager in *Mirakay*.
5. Attached hereto as Exhibit D is a true and correct copy of the Notice of Appeal filed on January 7, 2015 by appellant and objector Monica Mager in *Howerton v. Cargill, Inc.* ("Cargill"), No. 1:13-cv-00336 (D. Hawaii).
6. Attached hereto as Exhibit E is a true and correct copy of the Stipulated Motion to Voluntarily Dismiss Appeal filed on January 26, 2015 on behalf of appellant and objector Monica Mager in *Cargill*.

7. Attached hereto as Exhibit F is a true and correct copy of "U.S. Court of Appeals Summary—12-Month Period Ending March 31, 2015."

I declare, under penalty of perjury, that the foregoing is true and correct. Executed this 24th day of July, 2015 at San Francisco, California.

/s/ *Laurence D. King*
Laurence D. King